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CITY OF RIVIERA BEACH
PLANNING AND ZONING BOARD

Thursday, May 26, 2016

Council Chambers
600 West Blue Heron Boulevard
Riviera Beach, Florida

6:41 p.m. - 7:25 p.m.

IN ATTENDANCE:

Rena James, Chair
Tradrick McCoy, Vice Chair
Edward Kunuty, Board Member
Margaret Shepherd, Board Member
Julius Whigham, Sr., Board Member
Lina F. Busby, Assistant City Attorney
Jeff Gagnon, Assistant Director of
Community Development
Mario Velasquez, Senior Planner

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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, May 26, 2016,
5 beginning at 6:41 p.m., with attendees as hereinabove
6 noted, to wit:

7 ---

8 CHAIR JAMES: Hello. We're ready to start
9 the meeting. We'll wait for the recording to come up.
10 Okay, we'll start with a moment of silence and then the
11 Pledge of Allegiance.
12 (Moment of silence observed. Pledge of
13 Allegiance recited.)
14 CHAIR JAMES: Okay, roll call.
15 MR. VELASQUEZ: Julius Whigham.
16 MR. WHIGHAM: Present.
17 MR. VELASQUEZ: Margaret Shepherd.
18 MS. SHEPHERD: Here.
19 MR. VELASQUEZ: Edward Kunuty.
20 MR. KUNUTY: Here.
21 MR. VELASQUEZ: Zedrick Barber, II.
22 (No response.)
23 MR. VELASQUEZ: Tradrick McCoy.
24 VICE CHAIR McCOY: Here.
25 MR. VELASQUEZ: Rena James.

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1 CHAIR JAMES: Here.
2 MR. VELASQUEZ: A quorum is present.
3 CHAIR JAMES: Okay, item III, additions and
4 deletions to the agenda.
5 MR. GAGNON: Good afternoon. Jeff Gagnon,
6 Assistant Director of Community Development.
7 Tonight's agenda, I would like to add under
8 general discussion, letter C, I would like to add (4),
9 which is discussion of Planning and Zoning Board Member
10 shirts. That was the only addition.
11 CHAIR JAMES: Item IV, disclosure by Board
12 Members and adoption of the agenda, are there any
13 disclosures by Board Members? No? Seeing none, do we
14 have a motion to adopt the agenda?
15 MR. KUNUTY: So moved.
16 MS. SHEPHERD: Second.
17 CHAIR JAMES: Motion by Mr. Kunuty; second by
18 Ms. Shepherd. Roll call.
19 MR. VELASQUEZ: Julius Whigham.
20 MR. WHIGHAM: Yes.
21 MR. VELASQUEZ: Margaret Shepherd.
22 MS. SHEPHERD: Yes.
23 MR. VELASQUEZ: Edward Kunuty.
24 MR. KUNUTY: Yes.
25 MR. VELASQUEZ: Zedrick Barber -- sorry.

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1 He's absent.
2 Tradrick McCoy.
3 VICE CHAIR McCOY: Yes.
4 MR. VELASQUEZ: Rena James.
5 CHAIR JAMES: Yes.
6 MR. VELASQUEZ: Unanimous voting. Motion
7 approved.
8 CHAIR JAMES: Okay. Approval of the minutes.
9 Is there a motion to approve the meeting of -- the May
10 12th meeting minutes?
11 MR. KUNUTY: So moved.
12 MS. SHEPHERD: Second.
13 MR. VELASQUEZ: Julius Whigham.
14 MR. WHIGHAM: Yes.
15 MR. VELASQUEZ: Margaret Shepherd.
16 MS. SHEPHERD: Yes.
17 MR. VELASQUEZ: Edward Kunuty.
18 MR. KUNUTY: Yes.
19 MR. VELASQUEZ: Tradrick McCoy.
20 VICE CHAIR McCOY: Yes.
21 MR. VELASQUEZ: Rena James.
22 CHAIR JAMES: Yes.
23 MR. VELASQUEZ: Unanimous voting. Motion
24 approved.
25 CHAIR JAMES: Okay, on to unfinished

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1 business. Being none, we'll move into new business.
 2 MR. GAGNON: Yes, tonight we have one item
 3 under new business. It's a resolution of the City
 4 Council of the City of Riviera Beach, Palm Beach
 5 County, Florida, approving a site plan amendment to the
 6 Tropical Shipping development located at 1489
 7 Dr. Martin Luther King, Jr. Boulevard, which was
 8 previously approved by Resolution Number 40-15, in
 9 order to provide for a phased development approach for
 10 the designated automobile parking area, resulting in a
 11 final development option to either install or not
 12 install a solar panel covered parking element within
 13 three years of the date of approval of this resolution
 14 and providing an effective date.
 15 So continuing on, as previously mentioned,
 16 the site plan was approved last year through Resolution
 17 Number 40-15. It's the same location for Tropical
 18 Shipping shown on the screen. This is an aerial view
 19 of the location from the Palm Beach County Property
 20 Appraiser's web site. You can see some property
 21 delineations throughout the site. It has been
 22 replatted, and that was recorded in April of this year,
 23 so the Palm Beach County records will be reflected --
 24 will be updated to reflect that replat shortly, I'm
 25 sure.

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1 And more interestingly, the Google Earth
 2 aerial image shows some of the progress on the site
 3 work. Most specifically, as I go back and forth
 4 through these aerial views, you can see that the
 5 previous warehouse building has been removed, and this
 6 is proposed to be the parking area that we're going to
 7 discuss a little bit further on in greater detail
 8 tonight. Additionally, this new headquarter office
 9 structure has been developed, and we have some current
 10 site photos to share with the Board as well.
 11 So this is the view looking south along MLK
 12 Boulevard. And these photos were taken this afternoon,
 13 actually. This photo is looking south down Avenue P.
 14 And the new headquarter building, the new addition is
 15 shown here. And historically, the warehouse structure
 16 was in front. That has been demolished and removed.
 17 Now that area is going to serve for automobile parking.
 18 This is a view looking north on Avenue P.
 19 And the entrance to the parking area is shown here.
 20 There's a closer view of the existing office structure
 21 that's currently built, and this is an FDOT retention
 22 area that's adjacent to it. So that would be looking
 23 west across the site.
 24 And here's another view of the entrance area,
 25 so MLK Boulevard is to the right, and Avenue P would

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1 also run along that area.
 2 And this is a photo of the internal parking
 3 area. And the major amendment that we're going to
 4 discuss is a phased development approach to a solar
 5 panel parking component that was provided in the
 6 initial site plan resolution. And the area is actually
 7 going to be here. So if you can envision kind of a
 8 canopy covered parking area right where this van is,
 9 that's what's being proposed in the future instead of
 10 doing it during the current development phase.
 11 And the hard copy of this sheet is provided
 12 to the Board as well, which is an example of solar
 13 covered parking. So a very similar product would be
 14 utilized by Tropical in order to provide shade for the
 15 parking area and also generate electricity for the
 16 facility.
 17 What I currently have on the screen is the
 18 previously approved site plan. It's difficult to
 19 discern here, but perhaps if I zoom in, it does say a
 20 note here that these areas will be solar panel parking,
 21 covered parking. So all the rows of parking were
 22 initially proposed to have that solar panel component.
 23 What's currently being proposed is a phased
 24 approach for development. So the initial phase, which
 25 is shown here as Phase 1, would allow for the parking

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1 area to be developed in a Phase 2, which I'll discuss
 2 in a moment. However, through this Phase 1 approval,
 3 it would allow for the existing office building to be
 4 utilized prior to the solar panel component coming on
 5 board or prior to the parking lot being completely
 6 finished.
 7 So the first option, which is Phase 2A, is
 8 developing the site as really originally approved and
 9 having the solar panel parking component. And the
 10 timeframe that staff is suggesting is three years from
 11 the date of approval of this resolution to either
 12 develop the solar panel component or develop Phase 2,
 13 which is bringing the parking lot area up to current
 14 Code standards. So that would require Tropical to have
 15 specific parking medians and landscaping. So that way,
 16 they would still meet the Code requirements, however,
 17 the solar panel component wouldn't be included.
 18 I'd also like to make mention of the fact
 19 that Tropical has provided documentation to the City
 20 saying that they do intend on pursuing the solar panel
 21 component in the near future, however, they didn't want
 22 to slow down the current progress of the site,
 23 specifically being able to utilize the office space,
 24 having some aspects of the solar panel development
 25 still being discussed. One of that is negotiations

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1 with FPL and some of the legal, I guess, pitfalls that
 2 could come about that. So we want to make sure that
 3 they can utilize the site as quickly as possible.
 4 So the staff's recommendation is that we are
 5 recommending approval of the amended Tropical Shipping
 6 site plan application with the following conditions.
 7 Number one is that all previous conditions of
 8 approval associated with Resolution 40-15 remain valid.
 9 And those four conditions are provided below in
 10 PowerPoint. They're also present in the resolution.
 11 Those are just standard conditions of approval that are
 12 placed upon most site plans.
 13 Continuing, number two, a performance bond in
 14 the amount of \$68,000 shall be provided to the City in
 15 association with completion of Phase 2 of the
 16 development. This bond shall not have an expiration
 17 date and shall only be released by the City upon
 18 completion of Phase 2. That's either Phase 2A or 2B.
 19 So what this does is it guarantees the City
 20 that that final Phase 2 will come to fruition. It
 21 might be the solar panel component, or at least money
 22 will be in place if for some reason the additional
 23 landscaping component demonstrated in 2B isn't complied
 24 with. So that's the reason for the performance bond.
 25 Condition number three, Phase 2 of the

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1 development shall be executed within three years of the
 2 date of the approval of this resolution.
 3 So that concludes staff's presentation. We
 4 do have both the applicant is here tonight and the
 5 applicant's agent is here as well if there's any
 6 additional questions that City staff can't answer. And
 7 just for the record, we provided 11 by 17 copies of all
 8 the site plans that were provided in the PowerPoint,
 9 and all of the documents are provided within the hard
 10 copy packet as well.
 11 VICE CHAIR McCOY: Madam Chair.
 12 CHAIR JAMES: Go ahead.
 13 VICE CHAIR McCOY: Mr. Gagnon, the
 14 performance bond, what was the rhyme and reason for
 15 68,000? I don't see that in the backup. And if for
 16 whatever reason, I mean because we didn't see this
 17 before, if they decide to change, then is that then
 18 forfeited?
 19 MR. GAGNON: Let me -- I'll answer the first
 20 question first. That amount of money is actually
 21 derived from an estimate provided by the applicant to
 22 complete the landscape component and to construct
 23 landscape islands and other elements associated with
 24 project completion. So that number was provided by the
 25 applicant, the \$68,000.

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1 The second question, can you repeat? I don't
 2 think I fully understood it.
 3 VICE CHAIR McCOY: Well, I guess it makes
 4 sense now. But I thought the bond was specific for the
 5 solar panels. That's for landscape?
 6 MR. GAGNON: So the solar panel component
 7 will cost much more than the \$68,000. I'm not sure of
 8 the exact estimate, it's a substantial investment. And
 9 actually, along with that, I should make note that a
 10 lot of the conduits and lines that are needed in order
 11 to build the solar panel component are being placed in
 12 the ground now, so that way it will be easy for
 13 Tropical to come back and install the solar panel
 14 component in the future.
 15 But what the performance bond is really for,
 16 it's a guarantee to the City that that Phase 2 will
 17 occur, specifically the landscape portion. So that
 18 way, you know, Tropical can't say for some reason --
 19 not to say they'd ever do that, but to say, you know,
 20 we don't have the funding available to complete the
 21 landscaping. So that way, the City would have money in
 22 reserve to complete that part of the plan if we ever
 23 had to.
 24 VICE CHAIR McCOY: Follow-up, Madam Chair.
 25 CHAIR JAMES: Go ahead.

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1 VICE CHAIR McCOY: Maybe I'm not
 2 understanding. So initially when we first seen this,
 3 or when it was initially approved by City Council,
 4 there was already a performance bond for landscaping.
 5 Am I right?
 6 MR. GAGNON: You're correct. So what has
 7 changed though is there might be new landscape elements
 8 added to this Phase 2. The original site plan called
 9 for the solar panel component, so there wouldn't be any
 10 landscaping within that area of the parking lot. So
 11 now, since this new phase development may actually have
 12 landscaping, that's where the landscape performance
 13 bond comes into play.
 14 So there will actually be one for really the
 15 majority of the site, the landscape bond which is
 16 typically required, and then this is actually kind of
 17 landscape bond number two associated with just this one
 18 section of the site.
 19 VICE CHAIR McCOY: Follow-up.
 20 So Mr. Gagnon, if I understand, there's
 21 really not anything new, I guess, conceptually about
 22 this other than the solar panels.
 23 MR. GAGNON: There's only a very minor change
 24 to the entrance as far as having a security gate.
 25 Other than that, it's the solar panels. Honestly, in

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1 retrospect, if the original resolution was presented in
 2 a different way, or if the solar panels were proposed
 3 in a phased approach originally, I think that you
 4 wouldn't be going through this.
 5 But because the original approval resolution
 6 stated that the solar panel component was going to be
 7 developed, we thought it was important to bring it back
 8 through and provide the Planning and Zoning Board and
 9 the City Council.
 10 VICE CHAIR McCOY: Okay, I was going to ask
 11 what actually necessitated it coming back for an
 12 amendment, since it would seem like that's something
 13 that could be done at staff.
 14 So that's it for now, Madam Chair. Thank
 15 you.
 16 CHAIR JAMES: I just want the record to state
 17 that there's no public comment cards. So right now
 18 we're just going to continue with Board comments.
 19 Mr. Whigham.
 20 MR. WHIGHAM: I would just like to say that I
 21 could see from the community TV channel that this
 22 proposal that's being presented tonight, if the
 23 citizens of Riviera Beach were notified, and that's
 24 all, but I'm sure that letters was sent out to that one
 25 neighborhood development to let them know. I'm sure

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1 that the citizens knew what we were doing last year, so
 2 they could see the same thing coming up this year.
 3 So I'm glad to find out that the citizens
 4 (inaudible) will work properly doing. I know I am,
 5 because it's a development for the City, and it's a
 6 beautification plan that I looked there the past
 7 several days to see what was transpiring, the changes
 8 that we requested before have been made. And I just
 9 want to say that I'm happy to see that we're moving
 10 along to get this project going.
 11 Thank you very much.
 12 CHAIR JAMES: Ms. Shepherd?
 13 MR. GAGNON: Just for a point of
 14 clarification, I want to be clear that I actually
 15 didn't send out mail-outs for this specific amendment,
 16 just being that it was so minor in nature. But what I
 17 can say is we haven't received any phone calls, and
 18 there really have been no issues whatsoever in
 19 conjunction with ongoing construction. So the process
 20 has gone very smoothly. I just wanted to state that we
 21 did not send out those cards.
 22 CHAIR JAMES: Thank you, Jeff.
 23 Ms. Shepherd, do you have any comments?
 24 MS. SHEPHERD: Yes. How many cars will be --
 25 estimate -- coming and going out of that project,

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1 because I'm really concerned. Is there going to be a
 2 light there?
 3 MR. GAGNON: Yes, so the traffic concurrency
 4 component was discussed at length in the original site
 5 plan approval. Approximately there's, I'll just say
 6 350 parking spaces, not to say they'll all be used.
 7 However, what Florida Department of Transportation has
 8 done is they have actually provided approval for a
 9 traffic light to be developed at that intersection. So
 10 in the future, if the trips and traffic increases
 11 through both employee vehicles, and the major concern
 12 was really truck traffic, especially because there's
 13 another trucking business at the south side of Avenue P
 14 as well, so if those traffic levels increase, FDOT has
 15 agreed that a traffic light can be built there in the
 16 future.
 17 MS. SHEPHERD: So I know -- I think I came in
 18 a little late with this particular project. So there
 19 has been a traffic study done, and that will --
 20 MR. GAGNON: Yes.
 21 MS. SHEPHERD: Well, I think it's a very nice
 22 project. It's been here in the city as long as I've
 23 been here, and just to see an upgrade, it is an A plus
 24 for our community. So I have no more questions.
 25 CHAIR JAMES: Thank you.

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1 Mr. Kunutty.
 2 MR. KUNUTTY: Just so I understand it,
 3 basically what this amendment is doing is giving
 4 Tropical flexibility to spread out the either Phase A
 5 or B.
 6 MR. GAGNON: Yes. What it will do is it will
 7 provide Tropical with the ability to get a certificate
 8 of occupancy to use the existing building prior to
 9 finalizing the parking lot component. And within a
 10 three year period of time, they'll have to make a
 11 decision, and they have verbally stated that they would
 12 like to install the solar panel component, but within
 13 that three year period of time, either to move forward
 14 with the solar panel parking component or just refinish
 15 the parking lot area and landscape it to Code.
 16 MR. KUNUTTY: I have no other questions about
 17 it, but I have a curiosity. How much electrical power
 18 does this generate? It looks like three huge fields of
 19 solar panels.
 20 MR. GAGNON: Yes, I'll go back to the plan
 21 itself. So there will be a few different rows.
 22 Honestly, I cannot answer your question as far as total
 23 output.
 24 MR. KUNUTTY: I think the applicant can.
 25 MR. GAGNON: Okay. I'll have Damian Brink

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1 respond to that.

2 MR. BRINK: Good evening. Damian Brink with

3 Jon Schmidt & Associates, representing Tropical

4 Shipping.

5 It actually will produce about 1.4 megawatts

6 of power.

7 MR. KUNUTY: 1.4 million.

8 MR. BRINK: About 80 percent of the building

9 usage.

10 MR. KUNUTY: 80 percent, okay. Thank you.

11 MR. BRINK: You're welcome.

12 MR. KUNUTY: No other questions.

13 CHAIR JAMES: Thank you.

14 Mr. McCoy.

15 VICE CHAIR McCOY: That's it, Madam Chair.

16 CHAIR JAMES: And I don't have any comments,

17 so is there a motion?

18 VICE CHAIR McCOY: Move to approve.

19 MR. KUNUTY: Second.

20 CHAIR JAMES: Ready for roll call.

21 MR. VELASQUEZ: Julius Whigham.

22 MR. WHIGHAM: Yes.

23 MR. VELASQUEZ: Margaret Shepherd.

24 MS. SHEPHERD: Yes.

25 MR. VELASQUEZ: Edward Kunity.

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1 MR. KUNUTY: Yes.

2 MR. VELASQUEZ: Tradrick McCoy.

3 VICE CHAIR McCOY: Yes.

4 MR. VELASQUEZ: Rena James.

5 CHAIR JAMES: Yes.

6 MR. VELASQUEZ: Unanimous voting. Motion

7 approved.

8 (Chorus of thanks from the chamber.)

9 CHAIR JAMES: Thank you.

10 MR. KUNUTY: Thank you for your time.

11 CHAIR JAMES: Okay, general discussion. Item

12 VIII. There are no public comment cards. So Jeff,

13 we're just going to go to correspond.

14 MR. GAGNON: No correspondence tonight.

15 CHAIR JAMES: Okay, item C, Planning and

16 Zoning Board comments, discussion of the City Code of

17 Ordinances.

18 I know we were provided in our packet a copy,

19 and this is the latest revision, correct? Was anything

20 changed from the last time, Jeff?

21 MR. GAGNON: So what I did is, per the

22 request of the Board to have Chapter 27 provided once

23 again, I went back through previous Board meeting

24 packets to see if we had a draft that was currently

25 working or what the current status was. It actually

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1 had been some time since we had reviewed the language.

2 So what I did here is provide the information

3 that was provided in July of last year, and this is

4 actually the current Code language. Digging back

5 through my files, I did find one version of the

6 language that was probably from that Board meeting

7 where I had handwritten notes on it, and quite

8 honestly, it wasn't in any condition to share with the

9 Board. So I could provide perhaps a track change

10 version, if that's what the Board would like, or we can

11 go through the existing Code as well.

12 CHAIR JAMES: Any Board comment on what Jeff

13 is proposing?

14 VICE CHAIR McCOY: Madam Chair.

15 CHAIR JAMES: Go ahead.

16 VICE CHAIR McCOY: Mr. Gagnon, I'm curious.

17 So we're doing this for what exactly, because, you

18 know, if it's been just about a year almost, and you

19 know, nothing came of it, do we -- should we have the

20 expectation that it's even going to be considered by

21 City Council? Is this something that they have an

22 appetite to change, because it wouldn't seem like it's

23 of an urgent nature.

24 MR. GAGNON: I don't know if I can fully

25 answer the question. But the information was provided

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1 due to the Planning and Zoning Board's request at the

2 last meeting, so that's why it's before you now. As

3 far as what action the City Council will take, it's

4 difficult for me to say. However, if there isn't

5 information to present to them, then they can't

6 consider it. So I guess I'll leave it open-ended.

7 CHAIR JAMES: Okay, I'll respond to that. I

8 did request a copy of it for the Board just to see

9 where we were and so that we are aware, coming into the

10 next budget cycle, of recommendations if we wanted to

11 make any to the City Manager. That's under section

12 27-33, item (6). So you guys can think about that,

13 because there is a new budget cycle approaching, and

14 that was my reason for the request. Is there --

15 VICE CHAIR McCOY: Follow-up.

16 CHAIR JAMES: Go ahead.

17 VICE CHAIR McCOY: Just so I can clarify, I

18 was asking, Mr. Gagnon, you know, we've dealt with this

19 for a year now, and you know, I know there's been some

20 times where we've been meeting back to back, and then

21 there's periods where there wasn't a meeting. Is this

22 something that is a priority for City Council? Is this

23 something that's actually going to make it to City

24 Council, because, you know, it's been a year now, and I

25 kind of got the impression that it wouldn't go

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1 anywhere.

2 I certainly, you know, understand your

3 request, Ms. James, but I was curious, is this

4 something that is going to be a priority to get done

5 and sent over to City Council since we've been working

6 on it for a year now.

7 MR. GAGNON: From what I can recall looking

8 in Chapter 27, I believe it was a Board directive, a

9 Planning and Zoning Board directive, and staff

10 supported it as well. You know, we spent time, and

11 we've gone through a couple areas, and we discussed it

12 at meetings. However, again, I don't think that City

13 Council had requested for it initially. There has been

14 a Council changeover, so perhaps it's something they

15 would like to look at more closely now. So if it's

16 something the Board would like to look at, then I think

17 we can definitely do that.

18 VICE CHAIR McCOY: Sure. Thank you.

19 CHAIR JAMES: Okay, does anybody else have

20 any comments?

21 MR. KUNUTY: Just a question for Mr. Gagnon.

22 If the Board decided to present this to the City

23 Council, if we make any changes or as is, is that done

24 through a motion at this Board to take it to City

25 Council?

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1 MR. GAGNON: I would suggest the procedure

2 being a formal Board motion on any changes that are

3 proposed, and then Community Development staff will

4 provide it to the executive office, the City Manager's

5 office, and it will really be a discussion between the

6 City Manager's office and City Council whether or not

7 it makes it to the agenda.

8 MR. KUNUTY: Thank you.

9 VICE CHAIR McCOY: Follow-up.

10 CHAIR JAMES: Go ahead.

11 VICE CHAIR McCOY: So I guess this is really

12 unique, because we're looking at addressing the entire

13 chapter, which is compiled of multiple ordinances,

14 which would imply that there's two readings of

15 ordinances to pass the City Council. We are a

16 recommending Board, and if we make a recommendation and

17 Council decides that, you know, they want to see

18 different language or they want to see something

19 tweaked, then I guess that's done at the Council level.

20 We'll no longer see it again? Would that be

21 probably --

22 MR. GAGNON: I'll say that the City Council

23 has the final decision making authority. So as an

24 advisory Board to the Council, the Planning and Zoning

25 Board can make recommendations, and more often than

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1 not, the City Council takes that into consideration and

2 honors the work that's put into it. Upon the review,

3 however, the final decision does rest with the Council,

4 so if they decide to modify language in a different

5 way, they would have the ability to do so.

6 CHAIR JAMES: Any other discussion on this

7 item?

8 MS. SHEPHERD: I have a question.

9 CHAIR JAMES: Go ahead.

10 MS. SHEPHERD: Mr. Gagnon, with these

11 changes, do you really think that Council really go

12 through the recommendations? It appeared to me that

13 they make their own decisions. And the question I

14 have, do you think they really look through the -- I

15 really don't know how to put it. Do you think they

16 really look through this and make decisions? I know

17 they're basically all new people on the Board. Do you

18 think they really have the chance, the opportunity to

19 look through this, because this is a long process here.

20 MR. GAGNON: I can say that all Members in

21 the current Council do have experience on the Council

22 and have served previously, so I think they are

23 accustomed to the review process. I know they do have

24 a lot of items presented to them. And in my opinion,

25 you know, they're elected to read through the

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1 information provided to them, and I would say that

2 most, if not all, spend time and they do that.

3 MS. SHEPHERD: The reason why I'm asking,

4 Madam Chair, if I can follow up with that, they are

5 kind of overwhelmed, I think, now with the CRA and

6 different things going on, the infrastructure. Do they

7 really have the opportunity to look at -- I don't know

8 how to put it. With this Board, do they really have

9 the chance to really go through this document, or are

10 you just putting it together just in case they want to

11 review it?

12 CHAIR JAMES: If I may say this, Jeff, I

13 think the issue is historically we've brought

14 ordinances based on an applicant coming in with an

15 application and wanting something changed. That's one

16 way. And then the other way is possibly through City

17 Council. But this is possibly the first time that

18 we're taking initiative to possibly try to change an

19 ordinance.

20 So it's up to us, I guess, right now, you

21 know, we can decide if we want to pursue this at this

22 point, because we certainly don't have to. If we feel

23 like the Council is overwhelmed right now, just, you

24 know, it's been (coughing 13:31:20) for about the past

25 35 years, so I mean we could leave it be.

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1 We don't want to put extra work on ourselves
 2 to do something that may not be approved by City
 3 Council, and you know, that hasn't come to us. But as
 4 a Board, we can certainly bring anything up that we
 5 would like changed if we're willing to take the time to
 6 work on it.
 7 So I mean we could decide that now we don't
 8 have to if we don't think we want to take it to City
 9 Council at the moment. We can always bring it up at a
 10 later date. So what's the feeling of the Board so we
 11 can move on? Yea or nay.
 12 MR. KUNUTY: Let me just ask one quick
 13 question.
 14 CHAIR JAMES: Go ahead.
 15 MR. KUNUTY: Jeff, this document that we're
 16 looking at, July 23rd, 2015, that's the existing
 17 document as it stands now?
 18 MR. GAGNON: Correct.
 19 MR. KUNUTY: So in effect, this is the rule
 20 now, and there are no changes to it, correct?
 21 MR. GAGNON: This document provided to the
 22 Board tonight is the same that has been codified and
 23 appears on Municode.
 24 MR. KUNUTY: So if the Board decides, or any
 25 Board Member decided they wanted to change it, they

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1 would modify this document and then have the Board
 2 discuss that as a process?
 3 MR. GAGNON: It could be done that way, yes.
 4 MR. KUNUTY: No other questions.
 5 CHAIR JAMES: Thank you.
 6 Okay, so we're going to go ahead and move on
 7 to project updates and upcoming projects.
 8 MR. GAGNON: Yes, at the last meeting we
 9 discussed providing the Board with an updated project
 10 list. We've done that tonight. It should say May 2016
 11 on the header. So what we did is go back through and
 12 update the status of those projects. It is printed on
 13 the front and back of the page. So the information is
 14 there for the Planning and Zoning Board's review, and I
 15 can answer any questions if the Board has any.
 16 CHAIR JAMES: Okay, are there any questions
 17 at this time about the project updates? Seeing none,
 18 we're going to move on to -- that's it, I guess. Our
 19 next meeting will be June 9th, tentatively. If
 20 anything changes, we'll receive an e-mail. Is there a
 21 motion to adjourn?
 22 MR. GAGNON: We had added number four as
 23 well --
 24 MR. KUNUTY: Oh, the tee shirts.
 25 MR. GAGNON: -- which is the Board Member

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1 shirts.
 2 CHAIR JAMES: I'm sorry. Item four, what was
 3 it again?
 4 MR. GAGNON: A discussion of shirts for the
 5 Planning and Zoning Board.
 6 CHAIR JAMES: Okay, so let's discuss.
 7 MR. GAGNON: Mr. Whigham has advocated for
 8 some time now, so I'll have Mario Velasquez, our Senior
 9 Planner, discuss that for the Board. He's actually
 10 going to pass out a couple of color copies for
 11 selection choices.
 12 I think Mr. Whigham deserves a hand.
 13 MS. SHEPHERD: Yes, he does.
 14 (Applause.)
 15 MR. VELASQUEZ: Mario Velasquez here,
 16 Planner.
 17 I guess thanks to Mr. Whigham, staff has been
 18 asked to discuss with the Board Members and select two
 19 shirts per Board Member. We have provided at least
 20 three models. The two sheets, I would like you guys to
 21 write your name on the front page and put your name
 22 next to the color that you like.
 23 The red shirts, which is the button down
 24 shirt, and as you can see on the screen and on your
 25 paper, you have a variety of colors. The second page,

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1 we have the polo shirts, either classic or modern.
 2 Those are a little bit more tight.
 3 And lastly, this is an example of what the
 4 front part will look like. On the left side we have
 5 the City seal, and then we'll have your name and
 6 Planning and Zoning Board -- and your title, which will
 7 be Planning and Zoning Board Member. So that's just an
 8 example of what a polo shirt would look like.
 9 CHAIR JAMES: All right, Mr. Whigham.
 10 MR. VELASQUEZ: Short sleeve, long sleeve,
 11 polo, button down shirt. The sooner you provide the
 12 selection, the sooner we can get the order, and of
 13 course, the sooner we will get the shirts for everybody
 14 that's a Board Member.
 15 CHAIR JAMES: We're doing this tonight.
 16 VICE CHAIR MCCOY: Madam Chair.
 17 CHAIR JAMES: Go ahead, McCoy.
 18 VICE CHAIR MCCOY: I have a couple questions
 19 about this. Number one, is there any uniformity in the
 20 color scheme? Actually, that question should come
 21 after my first question.
 22 Are there rules around how this shirt is to
 23 be worn and in what capacity, and then, you know,
 24 exactly what are we expecting? What's the expectations
 25 out of having shirts that identify us as Members of the

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1 Planning and Zoning, because certainly I don't want
 2 anyone to get the wrong impression about these shirts.
 3 MR. VELASQUEZ: Right. I would expect the
 4 shirt be worn as professional as possible. But there
 5 are not specific rules. And if you're asking for a set
 6 of rules, there are none.
 7 CHAIR JAMES: So possibly some rules could be
 8 you could wear them to Board meetings.
 9 MR. VELASQUEZ: Absolutely.
 10 CHAIR JAMES: You could wear them to City
 11 Council meetings if you're representing, you know,
 12 yourself as a Board Member, even when you're out
 13 doing --
 14 MR. VELASQUEZ: Site visits.
 15 CHAIR JAMES: -- site visits.
 16 MR. VELASQUEZ: Right.
 17 CHAIR JAMES: Okay, any other Board
 18 questions?
 19 VICE CHAIR McCOY: So Madam Chair, follow-up.
 20 CHAIR JAMES: Go ahead.
 21 VICE CHAIR McCOY: So that's it? I mean
 22 there's not -- I guess like I know I see folks over in
 23 the Police Department that have on volunteer shirts,
 24 but they're not -- I guess do we model something off
 25 another department as far as uniform rules as to

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1 wearing these, because I don't want to be in a grocery
 2 store, you know, me personally, I'm not so sold on the
 3 idea of wearing a shirt.
 4 I understand why Mr. Whigham was suggesting,
 5 but I just think it brings about unintended
 6 consequences unless we have a very clear set of rules.
 7 You know, I've worn company logos and seals from the
 8 State of Florida, and I mean even recently, as I've
 9 seen, I think in the past couple months there was a
 10 letter that came out from the City Manager specifically
 11 about the seal and the usage of the municipal seal.
 12 So I'm just kind of curious that, you know, I
 13 think it's a great idea that we have shirts, but I
 14 think it's not a good idea if we have them when there's
 15 no guiding regulations on how that shirt is supposed to
 16 be worn and what's implied and what exactly should be
 17 expected. And you know, I'm really trying to err on
 18 the side of caution, because I can really see this
 19 becoming a problem. And I mean I'm not asking a
 20 question. I'm opening it up for discussion. So that's
 21 my comment.
 22 MR. GAGNON: I think your point's valid.
 23 Personally, I don't really have an interest in wearing
 24 a similar shirt. You know, something similar has been
 25 provided to staff, and I just politely declined. So

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1 you know, it's not something that it's mandatory by any
 2 means. I think to your point, I'd hope that, you know,
 3 everyone on the Planning and Zoning Board was selected
 4 to be there, so I hope that everyone will wear them as
 5 respectfully as possible and --
 6 CHAIR JAMES: And according to some of the
 7 guidelines that I've just stated. I mean you could
 8 wear them to a meeting, to a City Council meeting if
 9 you're representing in that capacity, or site visits.
 10 I mean if you're -- it's just on a weekend, I mean you
 11 shouldn't be wearing it. It's kind of like a
 12 professional decision. And I guess everyone doesn't
 13 have to have one if they don't want to, because it
 14 would be voluntary. But there's nothing set in writing
 15 even as far as following the City's dress code, because
 16 we're not City employees.
 17 MR. GAGNON: Correct.
 18 CHAIR JAMES: Any other discussion? So we're
 19 going to pick a color. I'll go first.
 20 MR. KUNUTY: Well, let me just make one
 21 comment, because I'm wearing a Planning and Zoning
 22 Board shirt, and I think Mr. Whigham received one, it's
 23 got to be, what, ten years ago?
 24 MR. WHIGHAM: About four, five years ago.
 25 MR. KUNUTY: I thought it was longer than

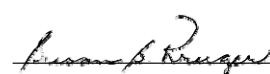
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1 that. And just as a personal experience, I wear it
 2 here, you know. I don't wear it to the movies, or you
 3 know, or anywhere else.
 4 CHAIR JAMES: Date night.
 5 MR. KUNUTY: Date night, yes.
 6 MR. WHIGHAM: Well, just to back up what
 7 Mr. Kunuty was talking about, when we got those shirts
 8 back in several years ago, they was given to us at a --
 9 MR. KUNUTY: Christmas party.
 10 MR. WHIGHAM: -- Christmas party.
 11 MR. KUNUTY: Right.
 12 MR. WHIGHAM: And we were given that as a
 13 reward for what we had been doing during the year. But
 14 since we got that shirt, I found out lately that it's
 15 best to have one of those shirts on if you're going --
 16 if you get something on like we got the other day about
 17 the, what's going to be built somewhere, and you go
 18 walking around these people's property, they want to
 19 know who you are, you see. And it's safe for us to
 20 wear at that time.
 21 I'm not going to wear it to a restaurant or
 22 somewhere like that, just to go out to wear it. I'm
 23 going to wear it when I come out for official business
 24 or come to a City Council meeting or one of our
 25 meetings or any other meeting that they might have with

1 the City. But if a person want to wear it, I don't see
 2 nothing wrong with it.
 3 But I think it's a great idea that we are in
 4 the process of being able to secure something like this
 5 to let the citizens know who we are. When we come into
 6 City Hall sometimes just to find out some information,
 7 people don't know who we are. They don't know we're on
 8 the Planning and Zoning Board. So this way, everybody
 9 in the complex would know who we are when we wear that
 10 shirt.
 11 Thank you, Madam Chair.
 12 CHAIR JAMES: Okay, so we're going to pick a
 13 color, and I'll start by doing my selection first.
 14 I'll go with the strong blue.
 15 MR. WHIGHAM: I do too.
 16 MR. VELASQUEZ: If you guys don't mind, write
 17 in just an X or circle the color that you would like.
 18 If you want two of the same, just X two. And I'll
 19 collect back the --
 20 CHAIR JAMES: Oh, so we all get to pick our
 21 own colors and style?
 22 MR. VELASQUEZ: You get to pick your own
 23 color and style, yes.
 24 CHAIR JAMES: Okay.
 25 MR. VELASQUEZ: So it's a total of two

1 shirts. If you want it the same, that's fine. It's
 2 your choice.
 3 CHAIR JAMES: Okay, great. So you guys will
 4 do that before you leave today if you're interested in
 5 a shirt.
 6 Being that there's nothing else on the
 7 agenda, is there a motion to adjourn?
 8 MR. KUNUTY: Motion to adjourn.
 9 MR. WHIGHAM: Second.
 10 CHAIR JAMES: Meeting adjourned.
 11 (Whereupon, at 7:25 p.m., the proceedings
 12 were concluded.)
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1 CERTIFICATE
 2
 3
 4 THE STATE OF FLORIDA)
 5)
 6 COUNTY OF PALM BEACH)
 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 31st day of May, 2016.
 16
 17
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 Susan S. Kruger



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