

**MINUTES OF THE REGULAR SESSION
VILLAGE COUNCIL OF NORTH PALM BEACH, FLORIDA
MARCH 28, 2019**

Present: Darryl C. Aubrey, Sc.D., Mayor
Mark Mullinix, Vice Mayor
David B. Norris, President Pro Tem
Susan Bickel, Councilmember
Deborah Searcy, Councilmember
Samia Janjua, Finance Director
Len Rubin, Village Attorney
Melissa Teal, Village Clerk

ROLL CALL

Mayor Aubrey called the meeting to order at 7:30 p.m. All members of Council were present. All members of staff were present except Village Manager Lukasik, who was out of town. Finance Director Samia Janjua attended the meeting on behalf of Mr. Lukasik.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Aubrey gave the invocation and Vice Mayor Mullinix led the public in the Pledge.

APPROVAL OF MINUTES

The Minutes of the Regular Session held March 14, 2019 were approved as written.

ORDINANCE 2019-02 BUDGET AMENDMENT FOR CAPITAL LEASE ACQUISITIONS

A motion was made by Vice Mayor Mullinix and seconded by President Pro Tem Norris to adopt on first reading Ordinance 2019-02 entitled:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, AMENDING THE ADOPTED GENERAL FUND BUDGET FOR FISCAL YEAR 2019 TO CLASSIFY THE TOTAL AMOUNT FINANCED FOR VILLAGE VEHICLES AS CAPITAL OUTLAY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Janjua stated the budget amendment ordinance shows the total amount financed for capital leases in the 2019 General Fund Budget; however, there is no net income effect. Mrs. Janjua stated the amendment serves to satisfy the financial reporting requirements of the Government Accounting Standards Board (GASB).

Terry Morton, Nowlen, Holt & Miner, explained that according to accounting standards, the lease is considered long-term debt that, when initiated, is reported as income from loan proceeds, with the expense being charged like any other capital expenditure. Mr. Morton stated that debt payments in subsequent years would reflect the actual expenditures for the vehicles.

Regarding the interest rate for the leases, Mr. Morton stated that tax exempt financing would be at a lower rate; however, the financing method used by the Village provided advantages, such as convenience and the ability to finance vehicle add-ons.

Thereafter, the motion to adopt Ordinance 2019-02 on first reading passed unanimously.

RESOLUTION 2019-26 – FY 2018 COMPREHENSIVE ANNUAL FINANCIAL REPORT

A motion was made by Councilmember Searcy and seconded by Councilmember Bickel to adopt Resolution 2019-26 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA, ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT PREPARED BY THE VILLAGE AUDITOR FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018 AND AUTHORIZING ITS FILING WITH THE STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

Terry Morton, Nowlen, Holt & Miner, reviewed the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30, 2018. Chairman Tom Magill presented comments on behalf of the Audit Committee.

Thereafter, the motion to adopt Resolution 2019-26 passed unanimously.

RESOLUTION 2019-27 – COUNTRY CLUB RESTAURANT LEASE

A motion was made by President Pro Tem Norris and seconded by Vice Mayor Mullinix to adopt Resolution 2019-27 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A RESTAURANT OPERATOR AGREEMENT WITH FARMER'S TABLE, LLC FOR THE EXCLUSIVE PROVISION OF RESTAURANT AND CATERING SERVICES AT THE NORTH PALM BEACH COUNTRY CLUB AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Purchasing Manager Sharon Swan reviewed the actions taken to secure a vendor to provide restaurant and banquet services at the new Country Club Clubhouse. Mrs. Swan reported the Village Manager and Village Attorney had completed contract negotiations with Farmer's Table.

Farmer's Table co-owner Joey Giannuzzi gave a presentation highlighting the design concept and menus for the Farmer's Table restaurant at the North Palm Beach Country Club. Mr. Giannuzzi reviewed plans for community and special events, and opportunities for Farmer's Table Express prepared food items and offsite catering. Mr. Giannuzzi provided sample menus and discussed the services to be provided.

Discussion ensued regarding the lease terms. Farmer's Table co-owner Mitchell Robbins addressed the Council. Mr. Robbins and Mr. Giannuzzi agreed to the following changes: Section 6A, Rent, Renewal Term rent increases to be 3% over base; Section 17, Holding Over, increased to 200%; Section 7C, Insurance, insurance carriers must have A rating; and that clarification be included requiring furniture replacement to be treated the same as the other items supplied by the Village. Mr. Rubin was directed to revise language regarding remedies in Section 15, Default.

Vice Mayor Mullinix moved to amend the previous motion to include the changes to the lease agreement. The motion was seconded by Councilmember Searcy and passed unanimously.

Thereafter, the motion to adopt Resolution 2019-27, as amended, passed 4 – 1, with Vice Mayor Mullinix, Councilmember Searcy, Councilmember Bickel, and Mayor Aubrey voting aye, and President Pro Tem Norris voting nay.

RESOLUTION 2019-28 COMMUNITY DEVELOPMENT DEPARTMENT OFFICE SPACE

A motion was made by Vice Mayor Mullinix and seconded by President Pro Tem Norris to adopt Resolution 2019-28 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, APPROVING A SECOND AMENDMENT TO THE LEASE AGREEMENT WITH ICV NPB, LLC FOR EXISTING SPACE WITHIN VILLAGE SQUARE PLAZA FOR USE BY THE COMMUNITY DEVELOPMENT DEPARTMENT TO EXTEND THE TERM AND AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE THE SECOND AMENDMENT; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Janjua reported the lease agreement for Community Development Department office space would expire March 31, 2019. Mrs. Janjua stated the amendment extends the term for an additional five years, with no increase in the monthly rent for the first year and 3% per year increase thereafter.

Thereafter, the motion to adopt Resolution 2019-28 passed unanimously.

RESOLUTION 2019-29 PRECISION LANDSCAPE PAYMENT

A motion was made by President Pro Tem Norris and seconded by Councilmember Bickel to adopt Resolution 2019-29 entitled:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF NORTH PALM BEACH, FLORIDA APPROVING A PAYMENT TO PRECISION LANDSCAPE COMPANY OF PALM BEACH COUNTY, INC. FOR DRAINAGE REPAIRS AT THE NORTH PALM BEACH COUNTRY CLUB; WAIVING THE VILLAGE'S PURCHASING POLICIES AND PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Janjua stated Precision Landscape completed work that was left out of the original scope for the golf course renovation project, including drainage repairs and extending the lake at Hole 18.

Thereafter, the motion to adopt Resolution 2019-29 passed unanimously.

VILLAGE COUNCIL MATTERS/REPORTS

Councilmember Bickel inquired about increasing the maximum fine for code violations. Mr. Rubin advised the fine for initial violations is statutorily limited to \$250.00 per day, per violation.

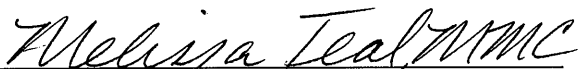
Councilmembers have received suggestions regarding the size of vessels moored in residential neighborhoods, including limiting the size of fuel tanks; limiting the length, height, or displacement of vessels; or limiting the beam width of vessels in canals. Vice Mayor Mullinix expressed his concerns regarding this issue. Mr. Rubin noted the Village is exploring all approaches to the matter.

VILLAGE MANAGER MATTERS/REPORTS

Special Projects Director Chuck Huff reported on the recent Neighborhood Enhancement Team (NET) house painting project and thanked Joanna Aiken from the Solid Waste Authority, Velocity Credit Union members, Vice Mayor and Mrs. Mullinix, and the NET staff for their efforts.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:32 p.m.


Melissa Teal, MMC, Village Clerk